

REMARKS

The application has been reviewed in view of the Office Action dated August 2, 2005.

Claims 1-11 are pending in the application, with claims 1, 4-7, 10 and 11 being in independent form. By this Amendment, independent claims 1, 4-6, 10 and 11 have been amended to clarify the claimed invention thereof.

Claims 1, 2 and 4-11 were rejected under 35 U.S.C. §102(b) as purportedly anticipated by U.S. Patent No. 5,293,253 to Kida et al. Claim 3 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Kida in view of U.S. Patent No. 6,104,504 to Imai et al.

Applicant has carefully considered the Examiner's comments and the cited art, and respectfully submits that independent claims 1, 4-7, 10 and 11 are patentable over the cited art, for at least the following reasons.

The present application relates to facsimile communications operation by a receiving (or called) facsimile apparatus with the capability of using optional frames. Applicant devised improvements to such a facsimile apparatus, wherein the called facsimile machine checks the identification information of the calling facsimile machine which identifies the calling facsimile machine. If the calling machine identification information does not correspond with prestored identification information for the different machines which adopt the common specification of optional frames, optional frames are not used by the receiving facsimile machine for facsimile communications with the calling facsimile machine and instead standard facsimile operations that do not use the optional frame are performed. On the other hand, if the calling machine identification information corresponds to the prestored identification information, facsimile communications operation using the optional frame is performed by the receiving facsimile machine.

Kida, as understood by Applicant, is directed to a facsimile apparatus for receiving

facsimile transmission selectively. The facsimile apparatus includes a memory which registers station identification data of selected facsimile stations in a closed user group from which facsimile communications are accepted. Calls from stations that are not registered in memory are rejected.

Applicant does not find teaching or suggestion in Kida, however, a facsimile communication method for performing a Group 3 facsimile communications operation using an optional frame signal, which includes (a) canceling performance of the facsimile communications operation using the optional frame and executing standard facsimile operations that do not use the optional frame, when the identification information of the calling facsimile machine does not correspond with the identification information prestored in the memory, and (b) executing the facsimile communications operation using the optional frame when the identification information of the calling facsimile machine corresponds to the identification information prestored in the memory, as provided by the claimed invention of claim 1 as amended.

Imai, as understood by Applicant, is directed to use by a calling station of a selective polling signal (SEP).

As discussed of record, Imai does not disclose or suggest, however, that the identification information of the calling facsimile machine is used to determine whether to use optional frames in the facsimile communications operation, that is, even if optional frames are not used (because the calling machine identification information does not correspond with prestored identification information for the different machines which adopt the common specification of optional frames), facsimile communications operation proceeds using normal facsimile communications procedures (i.e. without use of optional frames), as provided by the claimed invention.

Applicant simply does not find teaching or suggestion in the cited art of a facsimile communication method for performing a Group 3 facsimile communications operation using an

optional frame signal, which includes (a) canceling performance of the facsimile communications operation using the optional frame and executing standard facsimile operations that do not use the optional frame, when the identification information of the calling facsimile machine does not correspond with the identification information prestored in the memory, and (b) executing the facsimile communications operation using the optional frame when the identification information of the calling facsimile machine corresponds to the identification information prestored in the memory, as provided by the claimed invention of claim 1 as amended.

Independent claims 4-7, 10 and 11 are patentably distinct from the cited art for at least similar reasons.

In view of the claim amendments and remarks above, and this application is believed to be in condition for allowance. Accordingly, Applicant earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Office is hereby authorized to charge any fees that may be required in connection with this response and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,


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